

#14 / Response (K)
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12/19/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kazuhiro Kusuda et al.
Serial No. : 09/730,927
Filed : December 6, 2000
TC/A.U. : 3714
Examiner : A. Capron

Confirmation No.: 7962

Docket No. : 00-737
Customer No. : 34704

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

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TECHNOLOGY CENTER R3700

REQUEST FOR RECONSIDERATION

Sir:

In response to the final rejection dated July 25, 2003 having a shortened statutory period for response set to expire October 25, 2003, having been extended for two months so as to expire on December 25, 2003, Applicants respectfully request the Examiner to reconsider his rejection in light of the following comments and arguments.

The examiner in his final rejection asserts that U.S. patent 5,564,977 anticipates the claimed subject matter of independent claim 1. Applicant respectfully traverses the examiner's rejection for the reasons set forth hereinbelow.

It is respectfully submitted that the examiner has misunderstood the present invention and has not properly rejected independent claim 1. The principal object of the present invention is "to provide technology, in the field of game machine, for correcting the probability of winning and the odds on each bet so as to keep a payout rate for each bet within a predetermined range of a target payout even when the odds computed based on a preset probability of winning and the target payout rate are rounded" (see page 6 line 5 from the bottom to page 7 line 9 of the

specification). This object is totally different from that of Algie (described from column 1 line 57 to column 2 line 13 in the USP).

To attain this object the present invention adopts the special or particular correction process. More particularly, for example, according to the invention of claim 1, the first correction means and the second correction means have the special construction as follows.

(first correction means)

correcting the probability of winning of the object in the higher place based on the corrected odds, reflecting the difference between uncorrected probability of winning and the corrected probability of winning of the object in the probability of winning of the object in a subsequent place, predetermined (redetermining) the odds on the object in the subsequently place based on the corrected probability of winning of the object in the subsequent place, and repetitively performing a whole processing for the objects in all places.

(second correction means)

predetermining (redetermining) the probability of winning based on the approximated odds, and again reflecting the difference between the probability of winning and the predetermined (redetermined) probability of winning at predetermined ratios in the probabilities of winning of all the objects.

The above constructions are not disclosed in Algie, nor are obvious from Algie.

With regard to Algie, the examiner states in the detailed action of the final rejection that Algie's invention uses the conventional sequence of algorithms to continually calculate the odds and automatically display the odds to show a historical listing of how the odds were changed with respect to player wagering at predetermined times. Applicants agree with the examiner's

opinion in that Algie uses such conventional sequence to continually calculate the odds.

However, such sequence is used to calculate the odds based on the wagering or bets only. Again, as noted above, the purpose of the Algie's invention is totally different from that of the present invention, and Algie is silent on the above special construction (correction process) of the present invention performed by the first and second correction means.

The special construction (correction process) of the present invention as claimed is not taught or suggested in the prior art, e.g. real races such as horse racing or computer games such as horse race games.

In light of the foregoing, it is respectfully submitted that all of the claims as presently pending patentably define over the art of record and an early indication of same is respectfully requested.

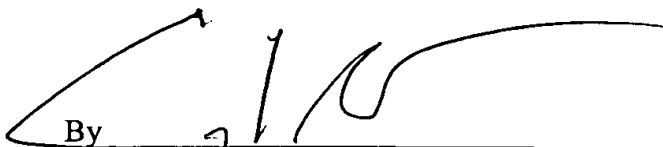
An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

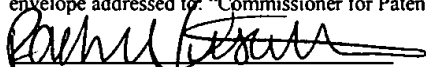
Kazuhiro Kusuda et al.

By 

Gregory P. LaPointe
Attorney for Applicants
Reg. No. 28,395
Tel: (203) 777-6628
Fax: (203) 865-0297

Date: December 3, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on December 3, 2003


Rachel Piscitelli